

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-22 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Entry of Amendment

It is respectfully requested that the present Amendment should be entered into the Official file in view of the fact that the amendments to the claims automatically place the application in condition for allowance. However, if the Examiner does not agree that the application is in condition for allowance, it is respectfully requested that the present Amendment should be entered for the purposes of appeal. Accordingly, entry of this Amendment is respectfully requested.

Rejection Under 35 U.S.C. § 102

Claims 1 and 3-6 stand rejected under 35 U.S.C. § 102 as being anticipated by Nakashima et al. (U.S. Patent No. 6,141,123). This rejection is respectfully traversed.

The Examiner refers to Figure 12 of Nakashima et al. to teach the steps of the method. However, in regard to the step of forming a smoothing film, the Examiner merely refers to the application of the anti-reflection means and polarizing means. The Examiner believes that these means smooth the surface of the hologram pattern and activate the light beam diffusion. Applicants submit that there is nothing in the Nakashima et al. reference

that indicates that these layers smooth the surface of the hologram pattern or activate the light beam diffusion. Applicants submit that the Examiner has interpreted these means incorrectly and that there is no teaching anywhere in Nakashima et al. that these layers perform a smoothing function. Furthermore, there is no statement in the reference which indicates that these layers activate a light beam diffusion.

Accordingly, Applicants submit that claim 1 is not anticipated by Nakashima et al. Claims 2-9 depend from claim 1, and as such, are also considered to be allowable. In addition, these references recite other features which make them additionally allowable. For example, the Examiner has already admitted that claims 7-9 are not anticipated by Nakashima et al. alone.

Rejection Under 35 U.S.C. § 103

Claims 7-9 stand rejected under 35 U.S.C. § 103 as being obvious over Nakashima et al. in view of Ohtaki et al. (U.S. Patent No. 6,432,498). This rejection is respectfully traversed.

The Examiner cites the Ohtaki et al. reference to show the material used, its thickness, and its refractive index. However, the Examiner refers to protective film 43 as being a smoothing layer. Applicants submit that there is no teaching of the protective layer acting as a smoothing layer, nor activating the light beam diffusion. If the Examiner persists in this rejection, he is requested to specifically point out where the reference teaches that this is a smoothing layer and where it causes the activation of the light beam diffusion.

Claims 2, 10, 12, 14, and 17-22 stand rejected as being obvious over Shirochi (U.S. Patent No. 6,075,581) in view of Nakashima et al. This rejection is respectfully traversed.

First, Applicants wish to point out that the Examiner has not yet cited the Shirochi reference. Applicants request that this reference be properly cited on a PTO-892 form.

The Examiner states that Shirochi shows a liquid crystal display having a series of layers. However, the Examiner states that the diffuser is not a hologram diffuser. The Examiner relies on the Nakashima reference to show a hologram layer. The Examiner again relies on the Nakashima reference to show the smoothing layer in the form of the anti-reflection means and polarizing means. Applicants submit that a smoothing layer is not formed in the Shirochi or Nakashima et al. Since the smoothing layer is not shown, nor the activation of light beam diffusion, nor a refractive index different from the hologram layer, Applicants submit that the claims are not obvious over this combination of references.

Claims 11 and 13 stand rejected under 35 U.S.C. § 103 as being obvious over Shirochi in view of Nakashima et al. and further in view of Ohtaki et al. The Examiner relies on Ohtaki et al. again to show the thickness of the layers, and the index of refraction. However, even if this reference does show these features, it does not teach the use of a smoothing layer which activates the light beam diffusion. Accordingly, the claims are allowable over this three-way combination of references as well.

Claims 15 and 16 stand rejected as being obvious over Shirochi in view of Nakashima et al. and further in view of Abileah et al. (U.S. Patent No. 5,629,784). The Examiner cites the Abileah reference to show a twisted nematic liquid crystal display between two polarizers. However, even if this reference does teach this feature, it does not

aid the other references in overcoming their deficiencies as noted above. Accordingly, these claims are also considered to be allowable.

Conclusion

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone, or in combination. In view of this, reconsideration of the rejections and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse (Reg. No. 27,295) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

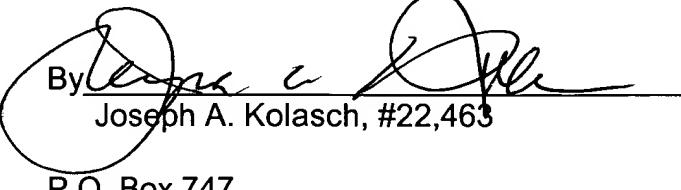
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is being filed concurrently herewith.

Appl. No.09/667,006
Amendment filed September 23, 2003

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Joseph A. Kolasch, #22,463

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

 JAK/RFG/ags